

DOCKET NO.: 270423US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1633

Marc ELOIT, et al.

SERIAL NO: 10/530,712

EXAMINER: Burkhart, Michael D.

FILED: November 8, 2005

FOR: RECOMBINANT ADENOVIRAL VECTORS AND APPLICATIONS
THEREOF

ELECTION AND RESPONSE TO RESTRICTION/LACK OF UNITY REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Sir:

In response to the Restriction/Lack of Unity Requirement dated November 26, 2008. the Applicants elect without traverse:

Group I, Claims 22-24, 26-36, and 52-55 (adenovirus products and methods involving deletion of 311-319 of SEQ ID NO: 2) ; and

Species I = type 2 canine adenovirus as the unmodified adenovirus, and

Species II = cat as the treated subject.

The Applicants respectfully request upon an indication of allowability for an elected claim that the claims of the nonelected group which depend from or otherwise include all the limitations of an allowed elected claim, be rejoined, see MPEP 821.04. It is the Applicants' understanding that additional species will be examined upon an indication of allowability for a generic claim reading on the elected species.